

Appl. No. 09/755,306
Amdt. Dated June 22, 2005
Reply to Office action of February 23, 2005
Attorney Docket No. P12661/37943-00402USPT
EUS/J/P/05-5100

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended Claims 9, 11-12, 15-16, 18-19 and 25. Applicant respectfully submits no new matter has been added. Accordingly, Claims 1-30 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Allowable Subject Matter

The Applicant gratefully acknowledges the allowance of claims 1-8.

2.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 9-17 and 19-30 under 35 U.S.C. § 102(b) as being anticipated by Johnson, et al. (US 5,673,252). The Applicant respectfully traverses the Examiner's rejection and has further amended independent Claims 9, 19 and 25 to more clearly and distinctly claim the subject matter which the Applicant considers as his invention. A favorable reconsideration of the pending claims is respectfully requested.

The present invention discloses and claims a system for facilitating information interexchange within a communication network. In that regard, the present invention deals with a communication network wherein a particular communication node serving a wireless communication device is "polled" by a polling node ("polling means"). In return, the polled communication node responds by providing real-time information associated with that particular wireless communications device. As a result of receiving such real-time information associated with that wireless communications device from the communication node, subscriber service means can then provide data back to that particular wireless communication device providing a subscriber service thereto. As an example, the polling means within the present invention polls a particular communication node serving a particular wireless communication device, determines the real-time information associated with that particular wireless communication device (such as the location of a mobile station), and provides "headlines news" service and data relevant for that particular location to that wireless communication device.

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The Applicant submits that such novel elements as recited by now pending independent Claims are not anticipated or taught by the Johnson reference. The Johnson invention instead discloses a communication network which is suitable for an automatic meter reading system. Accordingly, the Johnson reference discloses a central data terminal (CDT) communicating with a plurality of remote cell nodes (RCN) for automatically reading meter information associated with those remote cell nodes. As further disclosed in the Johnson reference, in order to avoid data collision when a large number of remote cell nodes are randomly reporting to a single centralize node (CDT), different channels within a data frame is used for communicating and reporting the meter information.

However, Applicant respectfully submits that Johnson simply fails to disclose or teach the present invention as recited by the presently pending claims. More particularly, Johnson fails to disclose or teach the communication node serving a wireless communication device as currently claimed by the present invention. Moreover, Johnson fails to disclose or teach the "receiving means" for receiving a response from the communication node wherein the response includes real-time information relating to the wireless communication device. In that regard, even if the Examiner is correct in comparing the CDT in Johnson as being analogous to the "polling means" in the present invention and the remote cell nodes (RCN) as being analogous to the "communication node" in the present invention, the RCN in Johnson responses to the CDT's poll by merely providing the CDT with its own meter information. The present invention, on the other hand, provides the "receiving means" with real-time information relating to a particular wireless communications device being served by that communication node. Furthermore, Johnson further fails to disclose or teach the "subscriber service means" for providing, in response to receiving the real-time information, data to that particular wireless communication device. As a matter of facts, other than collecting meter information from the remote cell nodes, nothing in Johnson discloses or teaches the "subscriber service means" for providing data back to the wireless communication device for providing subscriber service thereto.

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Accordingly, even though Johnson may disclose the basic concept of polling and collecting data within a communication network, since the cited reference fails to anticipate or render obvious each and every element of the present pending independent claim, the Applicant respectfully submits that independent Claim 9 and its dependent claims are now in condition for allowance. The Applicant further submits that independent Claims 19 and 25 recite similar limitations as now amended independent Claim 9 and are now further in condition for allowance.

The Examiner's favorable reconsideration of the amended claims is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 103 (a)

The Examiner rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Applicant's admission of prior art. The Applicant respectfully submits that Claim 18 depends from amended independent claim 9 and recites further limitations in combination with the novel elements thereof. Therefore, the allowance of claim 18 is respectfully requested.

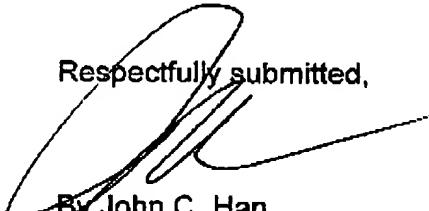
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CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,


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